

**FISCAL NOTE**

**SB 728 - HB 904**

March 22, 2005

**SUMMARY OF BILL:** Requires law enforcement officer to conduct test to determine blood alcohol of driver involved in collision resulting in serious bodily injury or death if officer has probable cause to believe driver committed any motor vehicle violation; provides that test be conducted whether or not driver consents.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$105,600/Incarceration\***

**Increase State Expenditures - \$148,800 Recurring**

**\$35,400 One-Time**

**Increase State Revenues - Less than \$100,000**

**Increase Local Govt. Expenditures - Less Than \$100,000**

**Increase Local Govt. Revenues - Less Than \$100,000**

Assumptions:

- 10 additional convictions for vehicular assault, a Class D felony.
- Local government expenditures and revenues will increase due to additional DUI convictions. These increases are estimated to be less than \$100,000.
- TBI would perform test upon a significant number of additional blood samples requiring additional staff and equipment estimated to increase recurring state expenditures by \$148,800 and one-time state expenditures of \$35,400.
- State revenues will increase from additional fees assessed from offenders for testing of blood samples. This increase is estimated to be less than \$100,000.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director